

REMARKS

I. Status of the claims

Claims 1-10, 13-16 and 18-21 are pending in this application. The Office Action Summary indicates that claims 1-21 are pending. Claims 11-12 and 17, however, have been cancelled. The Examiner appears to have withdrawn the earlier restriction requirement and appears to have examined all pending claims. The Examiner also appears to have withdrawn all earlier art rejections.

II. Abstract

The Examiner requested an Abstract of the application on a separate sheet. Applicants attach an appropriate Abstract on a separate sheet at the end of this Amendment.

III. Arrangement of the specification

The Examiner objected to the specification for failing to have proper arrangement and content of the specification. Applicants have added certain headings to the specification as proposed by the Examiner. A heading of "Brief Description of the Drawings" has already been included as illustrated in the Amendment filed on February 26, 2004.

IV. Antecedent basis in the specification

The Examiner objected to the specification as failing to provide proper antecedent basis for the claimed subject matter. In support of the objection, the Examiner stated that the phrase "the oblique angle of the radiation being . . . different between two or more zones" in the claims is inconsistent with Figure 1. The Examiner particularly asked if the oblique angle of the radiation in the two zones 7 on both sides of zone 6 are identical or uniform, then how can it be different between two or more zones.

The specification and Figure 1 are entirely consistent with what is claimed. The phrase cited by the Examiner means that at least two zones are irradiated with different oblique radiation. Figure 1 shows that at least two zones are irradiated with different oblique radiation. Zone 6 is irradiated at a different angle than zone 7.

The fact that the two zones 7 on both sides of zone 6 in Figure 1 are irradiated at the same angle does not create any inconsistency with the claims. It is irrelevant that some zones may be irradiated identically to others so long as one zone is irradiated at a different oblique angle than another zone. For instance, in a chequered (e.g. chess board type) pattern, half of the squares are irradiated using one oblique angle and the other half are irradiated using a different oblique angle. The same applies if stripes of differing oblique angles are used as shown in Figure 1.

In view of the comments above, it is not necessary to amend the claims in the manner proposed by the Examiner. Applicants remind the Examiner that Figure 1 was not even included in the original disclosure. Instead, the Figure was provided as a matter of courtesy by the applicants to the Examiner in the Amendment filed on November 12, 2002. The submission of Figure 1 does not retroactively modify the spirit and scope of the original disclosure filed years earlier. Applicants therefore respectfully request that the Examiner withdraw this objection.

V. Claim objections

The Examiner recommended that applicants modify "the material" to "the layer of a material" in claims 1, 7 and 10. Applicants have changed "the material" to "the layer of material" in the appropriate claims.

Applicants have replaced the term "irradiation" with "radiation" in certain claims as proposed by the Examiner. It is also specified in claims 1 and 13 that radiation takes place "on the multiple zones" as requested by the Examiner.

Claims 5 and 6 have been reworded to address the Examiner's objection to those claims and to more clearly identify what is claimed.

Claim 7 has been amended to recite that the preferred tilt that has been imparted is substantially homeotropic. This limitation is explained in detail in the first full paragraph on page 4 of the specification.

Applicants amended claims 8 and 9 to replace the expression "layer" with "layer of material" for clarity.

Claim 13 has been amended in a similar manner as claim 1.

Lastly, the Examiner objected to claims 15 and 16, stating that it is unclear what is vertically aligned nematic ("VAN") and hybrid aligned nematic ("HAN"), respectively. The specification at page 3, last paragraph, clearly explains the meaning of VAN and HAN-cells. Moreover, the person skilled in the art in this field knows what these two expressions stand for, and knows that they relate to a specific type of liquid-crystal cells. It is therefore sufficient to state that the liquid-crystal cell belongs to one of these types and no amendment should be necessary.

VI. Double patenting


The Examiner rejected all claims under the judicially created doctrine of obviousness type double patenting in view of claims 2-4, 8, 10, 18 and 19-25 of U.S. Patent No. 6,646,703. Applicants do not agree with this double patenting rejection. Applicants nonetheless enclose a Terminal Disclaimer and accompanying fee that should obviate the rejection. The filing of the Terminal Disclaimer to obviate the rejection does not constitute an admission of the propriety of the rejection. See MPEP § 804.02.

Applicants believe that this response should place all claims in condition for allowance. Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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